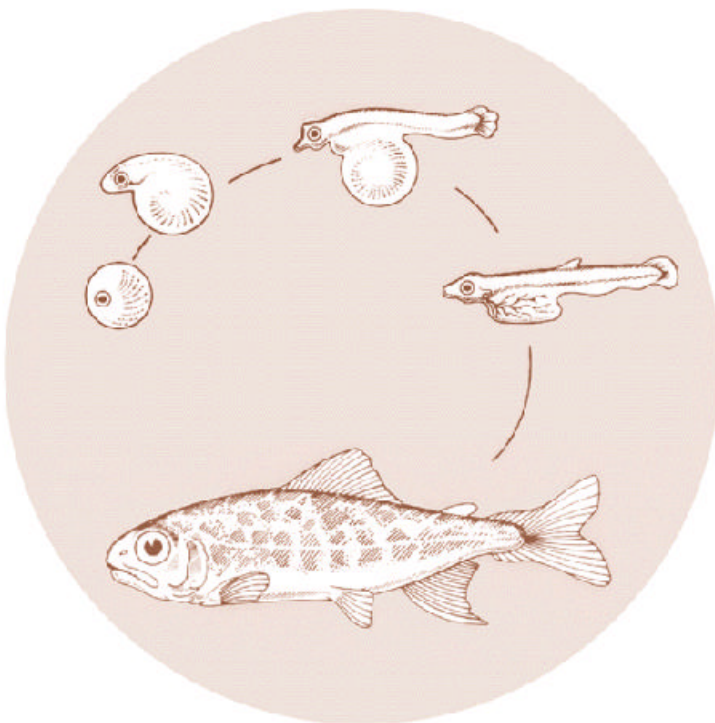


January 2000

# NEZ PERCE TRIBAL HATCHERY PROJECT

Annual Report 1998



DOE/BP-00004504-2



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Environment, Fish and Wildlife Division  
P.O. Box 3621  
905 N.E. 11th Avenue  
Portland, OR 97208-3621

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**NEZ PERCE TRIBAL HATCHERY PROJECT  
ANNUAL REPORT  
1998**

Prepared by:  
David B. Johnson  
Roy Edward Larson  
&  
Grant Walker

Nez Perce Tribe  
Department of Fisheries Resources Management  
P.O. Box 365  
Lapwai, Idaho 83540

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U.S. Department of Energy  
Bonneville Power Administration  
Environment, Fish and Wildlife  
P.O. Box 3621  
Portland, Oregon 97208-3621

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**NEZ PERCE TRIBAL HATCHERY PROJECT: 83-350**  
**PLANNING AND DEVELOPMENT**  
**ANNUAL REPORT**  
**1 JANUARY 1998 - 31 DECEMBER 1998**

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**INTRODUCTION:** This report consists of activities/events conducted in response to the Objectives and Tasks described in the 1998 contract Statement Of Work for the Planning and Predesign activities of the Nez Perce Tribal Hatchery (NPTH). The report follows the format of the contract for ease in finding accomplishments. Although specific emphasis will be placed on activities related directly to the NPTH, activities from other artificial production related projects may also be noted because of overlap in staff duties and production facilities. Additionally, the project leader's role has evolved as other Tribal fisheries projects have been developed and assigned to the Production Services Division, Department of Fisheries Resource Management (DFRM), Nez Perce Tribe (NPT). Thus, implementation of the project leader role for the NPTH actually entails specific duties of the Hatchery Supervisor, the Production Coordinator as well as the Production Director. The Production Director, Ed Larson was absent most of January and part of February before he began working part time from home while recovering from back surgery.

**OBJECTIVE 1. COORDINATION:** This activity is divided into three specific areas involving: interagency coordination with on-going production issues, coordination in regards to Endangered Species Act issues, and coordination in regards to funding processes.

**Task 1.1** Coordinate supplementation planning and with the following agencies: Bonneville Power Administration (BPA), Bureau of Indian Affairs (BIA), Columbia River Inter-Tribal Fish Commission (CRITFC), Corps of Engineers (COE), Idaho Department of Fish and Game (IDFG), National Marine Fisheries Service (NMFS), Northwest Power Planning Council (NPPC), Oregon Department of Fish and Wildlife (ODFW), U.S. Fish and Wildlife Service (USFWS), U.S. Forest Service (USFS), Washington Department of Fish and Wildlife (WDFW), and private entities through one or more of the following forums: technical work groups, hatchery production management meetings, NPPC hatchery review committees, intergovernmental agreements (NPT/IDFG, 1992 MOA), US v Oregon Production Advisory Committee or Technical Advisory Committee, other technical and policy meetings, and progress reports .

**Response:**

US v Oregon Coordination The Columbia River Fish Management Plan (CRFMP) is the result of a court ordered settlement agreement in the U.S. v. Oregon lawsuit. The lawsuit established, among other things, that four principle Columbia Basin tribes reserved a treaty right to 50% of the harvestable fish runs in the Columbia River. The CRFMP provides a framework within which the states of Oregon, Washington and Idaho, the Nez Perce Tribe, Umatilla Tribe, Warm Springs Tribe, Yakama Indian Nation and the United States exercise their sovereign powers in a coordinated manner to protect, rebuild, and enhance upper Columbia River fish runs while providing harvest for both treaty Indian and non-Indian fisheries. The CRFMP specifically provides for harvest management guidelines and fish production measures that will accomplish the

rebuilding goals, in addition to identifying methods for the parties to coordinate and resolve disputes. The CRFMP is due to expire at the end of 1998 and the parties desire to renegotiate a new plan.

The new plan (as well as the old plan) identify fish production measures (e.g. numbers and species of fish produced per hatchery for the short and long term, release location and objective of the releases) in the basin. There are many BPA direct-funded hatcheries (Lower Snake River Compensation Plan) and Fish and Wildlife Program production initiatives (including: NPTH, Northeast Oregon Hatchery and Johnson Creek Artificial Production Enhancement) that will be subject to renegotiation and implementation within the CRFMP, and thus requires Nez Perce Tribal staff participation in the process. For the most part, the Production Coordinator provides the Tribe's Fisheries staff coordination and participation in the U.S. v Oregon process with funding provided under this and the other production related contracts.

During 1998 technical staff developed alternative strategies which would meet the production goals of each of the parties in the many subbasins of the Columbia River Basin. The process divided the Columbia River watershed into four regions; 1) Snake River Basin, 2) Upper-Columbia, 3) Mid-Columbia, and 4) Lower Columbia. A review was scheduled for each region requiring at least two days per week throughout June, July, August, and September. History of anadromous species/stocks were reviewed and production options were proposed by the various managers for each species/stock. Thereafter, the various alternatives were boiled down to one that was the "proposed" strategy of each particular party. Also during this time, fisheries staff participated in monthly policy/legal meetings which focused on other aspects of renegotiating the plan and evaluating the progress of the production subgroups.

The Production Advisory Committee (PAC) is the "hatchery production arm" of the CRFMP. It consists of technical representatives of the States, Federal government and Tribes meeting on a monthly basis to coordinate production issues affecting the Columbia Basin. Issues on which the parties disagree (e.g. using hatchery fish for supplementation purposes) can end up being resolved in court. In 1998, several Nez Perce Tribal issues occupied PAC's agenda:

- The Nez Perce Tribe went to court on a dispute regarding the use of surplus hatchery steelhead returning to the Imnaha River. The State of Oregon wanted to kill the fish, while the Tribe's plan was to use the fish for natural run restoration. The judge ruled in the Tribe's favor, prohibiting the fish from being killed. The Tribe developed a proposal under the Northeast Oregon Master Plan contract to operate a temporary early rearing facility in the Imnaha to rear and release the native, steelhead fry.
- The Tribe secured spring chinook destined for Lookingglass Hatchery for broodstock for NPTH releases. The fish were released at Lookingglass Hatchery as juveniles, but concern over genetic appropriateness (the stock origin is Rapid River Hatchery) in the Grande Ronde results in the fish being trapped at Lower Granite Dam and not permitted to return to that river. However, the stock is appropriate in the Clearwater River, which makes the fish a good candidate for NPTH broodstock.

- The Tribe, through a fall fishery agreement, requested and received 500,000 smolts and approximately 1,000,000 eggs for a coho restoration program in the Clearwater. In addition, the Tribe secured IDFG and USFWS commitment to use existing hatchery space in the Clearwater to incubate the eggs and rear the fish.
- The Tribe, through a fall fishery agreement, secured IDFG and USFWS commitment to utilize 600,000 of the existing 3,000,000 Dworshak stock steelhead smolts produced annually in the Clearwater for supplementation purposes in the South Fork Clearwater.
- Finally, the Tribe secured the release of steelhead adults surplus to Oxbow Hatchery's broodstock needs into the Lower Salmon River for supplementation purposes. The State had already released a portion of the surplus adults above Hells Canyon Dam where they could not contribute to any natural production.

BPA Coordination: During the first quarter, the 1998 budget was reviewed and modified and then finalized in March; the budget was submitted in November, 1997. Several short term no-cost modifications were enacted to finance program operations during this period.

In January, Fiscal Year (FY) 1999 proposals were submitted to the NPPC and the Columbia Basin Fish and Wildlife Authority (CBFWA). In March, as part of a joint CBFWA/BPA review, presentations were made on BPA projects funded in the Clearwater Subbasin. The review was intended to be for the benefit of the members of the Independent Scientific Review Panel (ISRP), but none of those members chose to attend. A presentation on NPTH was given at the symposium by the Production Coordinator.

The CBFWA review and decisions on project funding were completed by the end of March. The NPPC mandated ISRP review of FY99 proposals was completed in June and the NPPC made its decisions by October. NPTH (as well as other hatchery projects) received a "defer" recommendation by the ISRP pending the completion of the Artificial Production Review. In response, the NPPC decided to continue with the interim "Three-step Process" established in the FY98 budgeting cycle. Nevertheless, as stipulated by BPA and the NPPC, responses to each ISRP comment made on the FY99 proposal were provided to BPA (Appendix A).

The FY99 Statements of Work and Budgets were submitted to BPA in August of 1998 and the FY2000 Proposals were completed and sent to NPPC by December of 1998.

Coho Management Plan - Production planning for coho salmon was incorporated into the NPTH budget in 1998. Actual approval for incorporation took considerable time and effort. One of the terms and conditions for coho release in the 1998 Biological Opinion was that a long range management plan be developed. Because the NPPC process for implementing production actions also requires a long term plan (i.e. a Master Plan), it was believed that planning for both purposes could be accomplished under a single contract administered within the NPTH program. In April, a subcontractor was identified and monies were set aside within the NPTH contract to develop the plans.

In November the planning element was finally incorporated into the NPTH budget. The no-cost budget modification required for the proposal had to first go through the CBFWA process, then to the NPPC before approval could be granted by BPA. The issue made its way in front of CBFWA in August; CBFWA gave approval on the item on September 17. It was then brought in front of the NPPC Fish Four subcommittee in October and full council approved the project and recommended the no-cost budget modification on November 5. In their letter to BPA dated November 13, 1998, the NPPC stated that this approval would initiate the first step in the Three-Step process required for production projects funded under the Fish and Wildlife Program.

Immediately thereafter, S.P. Cramer and Associates were hired to begin work on the plan. An extension on the NMFS imposed deadline for submission of a plan was requested and granted and a meeting was held with the subcontractor in December to determine objectives of the program.

IDFG Coordination: A spring outplant meeting was held on February 18 and a spring coordination meeting was held on March 26, 1998. Issues focused on ongoing production efforts for the Clearwater basin hatcheries. Rearing, marking and release schedules were proposed and coordinated and fish health concerns discussed. In addition, an up-to-date accounting of steelhead returns occurred and predictions for spring chinook returns were refined.

A fall coordination meeting was held on November 12, 1998 (minutes addressed in Appendix A). At the fall meetings, events of the past field season were recounted, which include chinook weir and redd counts, actual fish released in the spring and difficulties encountered. Tentative predictions were made for steelhead returns and potential fisheries management implications - including broodstock needs discussed.

Other IDFG/NPT coordination in 1998 centered around the transfer and sale of Sweetwater Springs. That item is discussed more fully in the response to Task 2.2.

USFWS Coordination: USFWS staff also participate in the outplanting and spring coordination meetings mentioned above. Additionally, DFRM staff attended a USFWS sponsored Lower Snake River Compensation Plan review in Boise on February 3 - 5. The Hatchery Manager gave a presentation on the Fall Chinook Acclimation Facilities operated by the DFRM on the Clearwater and mainstem Snake Rivers above Lower Granite Dam pool.

A Memorandum of Agreement (MOA) was developed between the USFWS and the NPT to provide fish rearing capabilities at Dworshak and Kooskia National Fish Hatcheries (Appendix A). The MOA details responsibilities of each of the parties for using the station and provides a mechanism to transfer funding from one entity to the other. The MOA was signed and approved by Nez Perce Tribal Executive Committee (NPTEC) on December 9, 1998.

**Task 1.2** Participate in consultation with NMFS to address Section 7 terms and conditions for NPTH and to acquire Section 10 permits as necessary. Participate on production coordination committees required by NMFS to meet the Recovery Plan for salmon and address the listing of Snake River steelhead. Complete a genetic benefit/risk assessment as required by NMFS to address supplementation of fall chinook.

**Response:**

Discussions were held with NMFS staff on steelhead and interaction with NPTH, specifically in regards to Sweetwater Springs water use and water withdrawal from Sweetwater Creek by the Lewiston Orchards Irrigation District.

A contract for completion of a Benefit:Risk assessment was drawn up between the NPT and CRITFC (Appendix A). Although the NPTH contract originally identified S.P. Cramer and Associates as the subcontractor for this project, CRITFC was chosen because of recent work completed in analyzing genetic effects of supplementation for a U.S. v Oregon lawsuit. The NPTH budget was modified to accommodate this change. The Benefit:Risk assessment is scheduled for completion early in 1999. Meetings were held with CRITFC on October 14 and November 9, 1998 to discuss the Benefit:Risk Assessment in relation to existing facility design and broodstock development plans.

A Biological Assessment was submitted to NMFS on January 28 for release of coho in 1998 (Appendix A). Several meetings were held with NMFS staff to work out the details of the terms and conditions of the “no jeopardy” Biological Opinion, which was issued on March 31. One of the terms and conditions was to develop a long-range coho management plan, which needed to be postponed due to the late date of acceptance of coho planning within the NPTH budget. Funding for coho production in 1999 was requested from NMFS and approved under the Mitchell Act budget.

A Biological Assessment for release of spring chinook into the Selway River was submitted to NMFS on May 29 (Appendix A). The fish proposed for release were reared at Sweetwater Springs. NMFS issued a “no jeopardy” Biological Opinion on July 14. In addition, NMFS approved a marking strategy for NPTH spring chinook releases which did not require fin clips, but rather used coded wire tags.

An outplant plan for Oxbow stock steelhead adults was submitted to NMFS on November 25 (Appendix A). NMFS approved the action the week after.

A copy of the 30% & 60% designs for NPTH were submitted to NMFS (and the USFWS) in December in accordance with a term and condition of the Biological Opinion for NPTH. Their comments and participation on the designs in regards to habitat alteration issues were solicited for a coordination meeting to be held with the USFS early in 1999.

Other issues include a coordination meeting in November on steelhead issues: 4(d) rule, genetics, harvest and straying. And finally, comments were provided to NMFS on a draft of the Hatchery Biological Opinion.



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**Task 1.3** Participate as necessary in the CBFWA Five Year Implementation Plan Steering Committee, NPPC Fish and Wildlife Program amendment process, and other budget processes.

**Response:** This process was completed during the first quarter of the year. Five year planning was revised and filed with BPA and the CBFWA. This was the major work activity for about three weeks in January.

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**OBJECTIVE 2. FACILITY DEVELOPMENT:** A progressive list of activities has been ongoing since 1990 to identify and select production facility sites. Activities this year will complete site selection and site acquisition. Final design is expected to be underway by the start of the year with contracting and construction in the second half. The NPT role will be to ensure that biological requirements as defined in planning documents are implemented in final design and construction.

**Task 2.1** Participate in the Final Design process for Cherrylane and Sweetwater Springs central incubation and rearing facilities and the Yoosa/Camp and Cedar Flats satellite facilities. Supply information and coordination as necessary to implement other future facility development.

**2.1.1** Assist BPA with directing the Final Design of NPTH Central Incubation and Rearing Facilities and associated satellite facilities.

**Response:**

January

- At the January 20, 1998 meeting, the NPPC voted to recommend funding for the final design phase after conducting the Step Two review. They formally notified NPTEC and BPA of their decision on January 28, 1998 (Appendix A).
- A final design meeting was held in Portland, at which time DFRM staff worked with BPA to subcontract with FishPro and others to complete topographical, geophysical, wetland, and property boundary surveys on Cherrylane, Sweetwater Springs, Lukes Gulch, and Yoosa/Camp site in Lolo Creek. The mapping was needed prior to the bid process for the final design. Because of anticipated staggered construction scheduling, the NPTH sites are designated as “A” or “B” sites based on priority of construction in accordance with biological timelines.

February

- The Request for Proposal was reviewed and edited.

March

- A site review is held with prospective architectural and engineering firms interested in bidding on NPTH final design.

April

- DFRM staff reviewed four final design engineering firm proposals. After several conference calls and a combined staff, DFRM and BPA, phone/staff conference in Portland, FishPro was selected to be the lead firm for NPTH final design.
- Weekly meetings are initiated among the NPTH “Core Team” (consisting of BPA, DFRM and FishPro) to track progress of final design.

June

- Design has evolved through two phases with “Schematic” and “Design Development” documents for the “A” designated sites completed. Information is being processed for the next level of development, 30% design

#### July

- The Core Team decides to consider the possibility of using Allotment 1705 as an alternative to the Cherrylane site. This detour from the established plan was taken because it was determined that: expensive highway alterations would be required at Cherrylane, that the actual available land was more confined due to cultural resource concerns, that long-term relationships with the landowner may not be as congenial as they are currently and that tribally owned land across the river may offer a suitable site without these complications. A fatal flaw analysis is conducted to evaluate conditions which would exclude the site from further consideration.
- A field meeting is held with Stewart McCormack (21 Ranch) to maintain access to land north of Sweetwater Springs Hatchery, and to discuss history of the spring house and ownership of water rights.

#### August

- A letter is sent to Allottees of Allotment 1705 requesting permission to survey the allotment, and a meeting is held with the Bureau of Indian Affairs in which permission to initiate the survey is granted.
- Meetings are held in Seattle and Lewiston to review 30% design documents; the cost is estimated at \$24.7 million with 20% contingency.
- Records are collected for FishPro on Sweetwater Springs underground utilities, North Lapwai Valley well coordinates, stream water temperatures, stream flows and truck requirements.

#### September

- A 30% design meeting is held with NPTEC; and a presentation is made to NPPC staff on progress of the final design phase.

#### October

- A tour of NPTH sites is conducted with NPPC member Bloch and NPTEC member Taylor.
- A contract is developed for low elevation aerial photographs of sites, and DFRM staff is assigned to marker boundaries of the sites.
- Two final design meetings are held in which the fatal flaw analysis gives the go-ahead for further development of Allotment 1705, and the design elements of other NPTH sites developed to date are reviewed and approved.
- A storage building for NPTH and FCAF equipment and supplies is constructed at Sweetwater compound.

#### November

- The NPTEC Land Commission is requested to consider a moratorium on using Allotment 1705 until after final decisions regarding its use for NPTH are made.
- Reviews of water chemistry and land surveys (Wyatt Engineering) of Allotment 1705 are conducted, and cultural resource surveys are coordinated with NPT Natural Resources.
- A final design review is conducted in Port Orchard at FishPro offices.
- Aerial photographs of NPTH sites are completed and digitized for final design by the subcontractor Dick Walker.
- It is agreed that BPA should consider purchase of the F.J. Wilson property at Lukes Gulch for \$55-60K to reduce road construction costs and improve river access.
- Nez Perce County Roads supervisor concurred with new road alignment at Sweetwater Springs.

#### December

- A letter is sent to 1705 allottees discussing progress of the final design.
- Drilling for wells #1 & #2 occurs and the report is expected by Jan. 30.
- A 60/30% design review is conducted with FishPro in Seattle.
- Preparations occur for a NPPC review of NPTH final design in January. The CD containing original aerial photos of NPTH sites is sent to FishPro however copies were made and are held in Lapwai office.
- The investigation of the Wilson property expansion (Lukes Gulch) is concluded to opt to purchase at \$60K.
- The permit process for NPTH started.
- A tour and briefing of NPTH sites is conducted with the Snake River Basin Adjudication mediator and tribal parties. NPTH water rights will be affected by the SRBA.

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#### **2.1.2. Organize and lead the Natures Design Team for Final Design of NPTH Central Incubation and Satellite Facilities.**

##### **Response:**

Letters soliciting participation by various agencies in the NATURES design team (NDT) were sent in early February. The NDT consists of representatives from the following agencies (numbers of persons): DFRM (5), BPA (3), NMFS (2), WDFW (3), IDFG (2), CRITFC (1), USFWS (2), BIA (1) and NPPC (1). This group met on February 24<sup>th</sup> and March 25<sup>th</sup> to discuss, by life history stage, the functions that affect fish production and management strategies that would most benefit or adapt fish to survive following release. These concepts are termed NATURES principles. Seven key management principles were identified which would guide the final design process. Minutes of meetings were recorded by Kathleen Concannon and Ed Larson and distributed to attendees.

After, selection of FishPro as the design engineer, the NDT was convened to review progress of the final designs at critical junctures in development. The meetings usually coincided with

a Core Team meeting which would evaluate NDT comments made to date, and then present to the NDT how their ideas were incorporated. The NDT would then review and comment on the newer design documents.

The third meeting of the NDT occurred June 9-10 in Seattle to review FishPro's schematic design of NPTH. Eighteen persons attended. Biological criteria were reviewed to establish the production profile and to assure that the NATURES concepts were being implemented in the design. Key features of NATURES were:

- 1) semi-natural habitat (coloration, benthic & in-water-column substrate, shading, over spray),
- 2) exercise velocity,
- 3) predator avoidance training,
- 4) low density rearing (DI <0.1),
- 5) natural diet, and
- 6) disease control

A fourth meeting with two of the NDT (in addition to the Core Team) occurred in Seattle on July 16 and reviewed adult holding, exercise, and "S" pond refinements.

A fifth meeting was held on September 3, at which time the NDT reviewed the 30% design documents.

In October The NDT members were canvassed for their opinions and approval of the use of semi-circular tanks at Sweetwater Springs.

The final NDT meeting was held in Seattle on December 10, 1998. At that meeting seven of the NDT, in addition to the Core Team, reviewed the 60%/30% design documents prior to presentation to the NPPC.

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**2.1.3** Provide coordination between BPA, NPT and Cherrylane land owners with regard to water rights negotiations and other related development activities associated with leasing or acquisition. Mr. Kerby has asked that Ed Larson continue to remain active in this role.

**Response:**

During the first half of the year Ed Larson and Grant Walker contact Mr. Kerby several times each month regarding the progress of topographical surveys which establish location and placement of wells, river intake and pipeline right of ways.

The NPT Office of Legal Counsel (OLC) is consulted in regards to ownership of the water rights at Cherrylane. It is determined that the water right would be held by the land owner, who would then lease the land and water to BPA for the purposes of the NPTH. The key is to include the water use in the land lease. Because the disposition of water rights in the State of

Idaho are in flux due to the ongoing, Snake River Basin Adjudication, it is important to rely on legal advice from the Tribe and BPA at every point in the permitting process.

In July, meetings were held with BPA and the Kerby's to extend the annual lease option for the use of Cherrylane.

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**Task 2.2** Participate with BPA in the acquisition of Sweetwater Springs from IDFG.

**Response:**

At the beginning of the year, the IDFG Commission had refused to sell Sweetwater Springs until they completed other land exchange negotiations and Snake River Basin Adjudication negotiations with the NPT. NPTEC made Sweetwater Springs a priority for acquisition and indicated that it is not associated with the other land exchange issues being negotiated between the state and the tribe. BPA has held \$100,000 in reserve since 1996 for a direct purchase of Sweetwater Springs.

To further this land acquisition, a briefing paper was provided to NPTEC Chairman Samuel Penney for a meeting with the Idaho Governor Phil Batt in April. The meeting between Chairman Penney and Governor Batt concluded that the IDFG Commissioners would meet in July to make a determination on this matter. As a result, the IDFG Commission decided at their July 16-17 meeting to direct their staff to "...take steps necessary to seek requests for proposals for the acquisition of the Sweetwater Hatchery". The State believed they were required to follow a public bidding process for the property. A meeting was held on September 1 with NPTEC, IDFG and DFRM to discuss the sale process. The State regulations on land sales were reviewed, and a letter was sent to IDFG on September 9 arguing that the land did not have to be "surplussed", or otherwise undergo a public bid if sold to the United States (Appendix A). During the last week in September, the IDFG Commission met and decided to do a joint presentation with NPTEC to the State Land Board on selling the property to BPA. In November, a letter was sent from IDFG to the Land Board requesting a possible December presentation. During this time, regular discussions were held with Idaho NPPC staff to act as a liaison with the State in order to encourage the sale.

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**Task 2.3** Complete groundwater testing and the final selection process for North Lapwai Valley site.

**Response:**

A contract was developed to do pump tests at this site during May and June. Only one contractor, Staco Well Services, responded to the advertisements. Sprenke and Ralston, consulting hydrologists, supervised and reported on the results of these tests. A well was drilled to the depth of 679 feet; the first 380 feet at 16 inch diameter and cased, the lower 299 feet at 10 inch diameter but not cased so that the well draws from below 380 feet. The well was tested using a constant flow of 500 gpm.

The outcome of the test was positive. Quantities in excess of 1,000 gpm were pumped and there is a greater than 80% probability of obtaining 500 gpm or more in long-term yield. Operations will cause minimal drawdown of wells to the south of the site. Wells located to the north of the site will be affected, with maximum drawdown of less than 10 feet. Mitigation may be necessary for one shallow domestic well in the immediate vicinity. Although temperatures (66 degrees Fahrenheit) were greater than desired, they can be reduced by air chilling and/or mixing with cooler surface water flows to obtain the desired temperature for rearing juvenile fall chinook between February through June.

A draft final report was submitted and reviewed in late July. A final report entitled: "Hydrogeologic Analysis of Water Supply Potential for the Proposed North Lapwai Valley Hatchery Facility" (Appendix A) was submitted in October .

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**Task 2.4** Implement the USFS permitting process necessary to develop satellite facilities and weirs on National Forest lands in ensuing years at the following sites;

- Lolo/Yoosa site in Lolo Creek, and
- Newsome Creek and Mill Creek, South Fork Clearwater River, and
- Cedar Flats, lower Selway River.

**Response:**

A coordination meeting was held with the Clearwater and Nez Perce National Forests on March 27, at which time the Forests requested that additional National Environmental Policy Act (NEPA) analysis occur in order to obtain the site specificity needed to grant a Special Use Permit. This request was deemed unreasonable by BPA and the NPT because the USFS had already been a cooperating agency on the existing NEPA document and it was believed that analysis would provide the coverage needed.

In July, briefing materials were prepared for a meeting between NPTEC members and USFS Chief Dombeck in Washington D.C. to discuss the issue of NEPA sufficiency for implementation of NPTH. As a follow-up, on July 30, NPTEC sent a letter (Appendix A) reiterating the issue to Dombeck and others, including the Regional Office and the two forests. A copy of the Final Environmental Impact Statement (FEIS), Biological Opinions, up-to-date design drawings on National Forest sites, and an example of a Special Use Permit were also sent to the USFS Office of Legal Council in Missoula, Montana. The letter requested that the USFS could, as a cooperating agency, issue a Record of Decision on the NPTH FEIS and address mitigation concerns in the Special Use Permit.

In September, Nez Perce National Forest Fish and Wildlife staff officer Phil Jahn, was assigned to coordinate issues on NPTH on behalf of both forests, and the forests had decided that they wanted to issue only one Special Use Permit to cover all sites. BPA staff corresponded with Jahn to address the Endangered Species Act (ESA) consultation issues required to issue a Special Use Permit. Jahn responded with a list of construction related concerns, but also required an additional Biological Assessment (and Opinion) be developed to address bull trout and that

NMFS review the final design package as stipulated in their terms and conditions of the Biological Opinion.

In December, DFRM sent a letter to Jahn that transmitted the 60%/30% design documents and requested a meeting in January or February of 1999 to discuss their issues (Appendix A). NMFS and USFWS staff were also invited to participate in order to incorporate as many on-the-ground concerns as possible into the final design drawings.

Several meetings were attended by FishPro and DFRM staff during the year to address USFS site specific concerns on two of the "A" sites, Cedar Flats and Yoosa Camp. On June 25 & 26, meetings were held with the Selway and Lochsa Ranger Districts, respectively, to review schematic designs and incorporate concerns and comments. On August 18, a site visit was held at Yoosa Camp with the Lochsa District Ranger and Fisheries and Watershed staff to review drawings and discuss PACFISH concerns.

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**OBJECTIVE 3. HATCHERY OPERATIONS DEVELOPMENT:** This objective addresses introductory, intermediary and advanced fish culture and fish health skills development for NPT personnel to provide certification as well as on-job-training. This objective also includes components of NPTH broodstock and equipment acquisition prior to facility completion.

**Task 3.1** Write a draft hatchery annual operations guideline in conjunction with the Final Design for Cherrylane facility and associated satellites.

**Response:**

An annual operation plan will be written following completion of the final design. The DFRM assists in the development of annual operation plans for other Snake Basin hatcheries (Northeast Oregon hatcheries and Lyons Ferry Hatchery) and thus has experience that can be applied to a NPTH plan.

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**Task 3.2** Continue the "experienced-based" training program at other regional hatcheries for NPTH staff.

**3.2.1** Provide personnel and materials to rear and release juvenile and adult salmon at existing state and federal hatcheries until NPTH can be constructed; e.g., Clearwater, Dworshak, and Kooskia hatcheries.

**Response:**

DFRM was involved in a large production effort in 1998. A summary of fish reared and released is presented in Table 1. Not all production was accomplished with this contract, but DFRM coordination and direction of the releases was accomplished largely through this contract. Production efforts funded under NPTH were conducted at Dworshak/Kooskia National Fish Hatchery (NFH), Clearwater Fish Hatchery (FH) and Sweetwater Springs.

Dworshak/Kooskia NFH Over 200,000 Brood Year 1996 (BY 96) coho salmon parr were reared to smolt size, transported to Kooskia and released in April. In addition, approximately 300,000 BY 97 coho salmon eyed eggs were brought on station at the end of 1997 where they were incubated, and reared throughout 1998 and will be released in 1999. A group of approximately 400,000 BY98 coho salmon eyed eggs were brought on station on December 15 from Eagle Creek NFH for rearing throughout 1999 and release in 2000. As part of a community outreach effort 30,000 coho eggs were shared with the Pulp and Paper Workers Resource Council for a fry outplant to Quartz and Mission Creeks.

Three to four full time employees were kept on station during 1998. During initial training in the first half of the year, the staff was on-station five days per week. Later, as duties were better defined and staff became more comfortable with the work, seven day per week coverage was provided by alternating shifts of two employees per shift. Supervision was

provided by DFRM staff as well as by Dworshak NFH staff. Tribal employees had hands-on training with fish culture from egg to smolt, in preparation for operation of NPTH.

Rearing of coho salmon provided an excellent opportunity for training because a single group of fish could be assigned specifically to the Tribe's care, and could be followed throughout their entire rearing cycle. Using a programmed species (i.e. steelhead or spring chinook) for training purposes, would require segregation of a program lot in order to allow for consistent care by Tribal trainees and would be more difficult and inconsistent with USFWS protocols. The NPTH contract provided only manpower costs associated with on-the-ground training for fish culture. Food, supplies, materials and transportation costs for the coho was not provided under the NPTH.

Duties performed by DFRM staff at Dworshak NFH included the following (from the Memorandum of Agreement with the U.S. Fish and Wildlife Service):

- The Tribe will be responsible for all phases of fish culture for tribal fish held at the Service facilities. This includes cleaning, feeding, sampling, treating, hauling and releasing.
- The Tribe will be responsible for taking care of fish culture equipment in tribal work areas, including equipment storage and general clean up.
- The Tribe will be responsible for making arrangements for feed orders, chemical supplies for treatment, delivery and storage.
- The Tribe will keep all records and report forms on tribal fish in the format and manner used at Dworshak NFH and provide copies of each to the Service.
- The Tribe will be responsible for cleaning and disinfecting hatchery rearing containers including egg trays, nursery tanks, outside rearing ponds, after tribal use.
- The Tribe will be responsible for coordinating any fish marking with the Service.
- The Tribe will be responsible for acquiring all applicable and relevant



Figure 1. Kooskia Hatchery



Figure 2. Steelhead Transport, Dworshak Hatchery

fish and egg transportation permits between states and for all applicable and relevant permits associated with releases under the Endangered Species Act.

- The Tribe will be responsible for coordinating fish health needs of tribal fish and for periodic examination through the Dworshak Fish Health Center.

Clearwater FH At the end of 1997, approximately 600,000 BY 97 coho salmon eyed eggs were brought on station where they were incubated, reared to parr size in June and July, and released into three streams. In December 1998, a group of approximately 500,000 BY98 coho salmon eyed eggs were brought on station for rearing and release as parr in 1999. Four DFRM personnel were stationed at the hatchery for on-the-job training in rearing these fish as were the employees at Dworshak NFH. Again, feed, materials and supplies for rearing the coho were not paid for from the NPTH contract.

Also in 1998, approximately 100,000 BY97 spring chinook were reared and released as parr into two of the NPTH streams, Boulder and Warm Springs Creek. An additional component of 670,000 spring chinook were being reared throughout the rest of the year for release as smolts into NPTH streams in 1999. Culture, coded wire tagging and fish health needs for these fish was provided by IDFG staff in coordination with DFRM. After the coho and spring chinook parr were released in June and July, DFRM staff assisted IDFG in caring for spring chinook being reared to smolt. In addition DFRM staff PIT-Tagged, outplanted and provided food, materials and supplies for the spring chinook under the NPTH contract.



Figure 3. Selway Outplant

For the Clearwater FH, as well as the Sweetwater Springs programs, actual transportation and outplant of the fish is a significant effort. Fish are not simply released by opening up a raceway outlet. For these programs, fish are crowded in the raceways, loaded onto tanker trucks, hauled to remote areas and either dispersed in many different locations by the trucks or off-loaded into portable swimming pools where they are bucketed by helicopter into wilderness area streams. The helicopter operations are the most logistically intensive. Loading sites need to be established that can allow helicopter access, and the portable pools, pumps and measuring instruments need to be set up in



Figure 4. Selway Outplant



advance of receiving the fish from the hatchery trucks. Simultaneous activities occurring at the shipping and receiving end need to be coordinated by the fish production staff. Off-site rearing, transport and release have been a significant part of the DFRM program, and the young staff are becoming indoctrinated in these difficult operations from the beginning. In addition to being responsible for releases of fish directly under its control, DFRM staff assisted in the release of experimental captive broodstock fish reared at Clearwater FH into the Selway River in April and September.

Sweetwater Springs At the end of 1997, approximately 500,000 BY 97 spring chinook salmon eyed eggs were brought on station after the adults were trapped at Lower Granite Dam, transported to Sawtooth FH in south-central Idaho, and held until spawned. This group of fish were released from Lookingglass Hatchery in the Grande Ronde River. They are Rapid River stock chinook, and because of ESA concerns, are being phased out of that river. The fish have a unique fin clip (adipose and right ventral fins are removed) as well as being coded wire tagged such that they trigger the adult trap at Lower Granite dam and are not allowed upriver. However, Rapid River stock is an appropriate stock for use in the Clearwater River, thus making these fish acceptable for the NPTH program. All expenditures for this group of fish were derived from the NPTH contract.

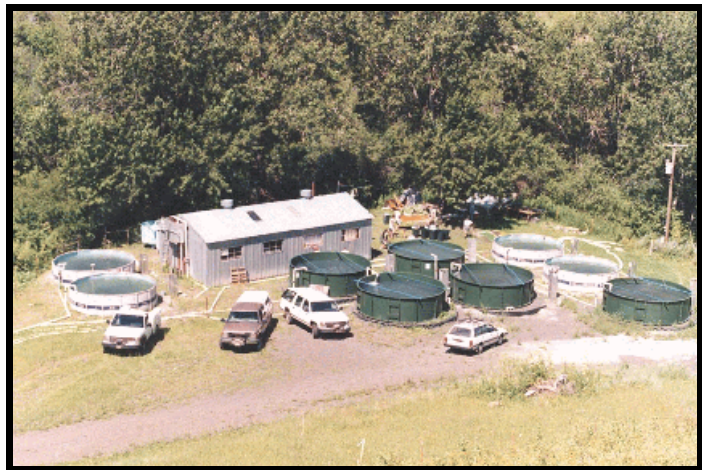


Figure 4. Sweetwater Hatchery

The eggs were incubated at Sweetwater Springs from the beginning of the year until swim up in late January. The fry were then moved outside the incubation room to the early fry rearing tanks.

Also in January, ten 5' diameter circular fiberglass tanks were set up and plumbed to accompany the six tanks already on site. As the fish grew larger, an additional five 16' diameter aluminum tanks and four portable 16' diameter swimming pools were set up in March. Construction required trucking in and leveling gravel pads for five tanks, running 4" supply pipe to the tanks and 6" discharge pipe from the tanks.

In July, spring chinook parr were transported from Sweetwater Springs to the upper Selway River for release. This haul required driving over Lolo Pass into Montana, and then back into Idaho and the upper Selway. Some fish flown from the lower Selway to tributaries in the upper Selway. Idaho Public TV filmed helicopter outplants in the upper Selway River at

Magruder Corridor, and had an Outdoor Idaho special on the Tribe's efforts titled "Tribes and the Environment" which aired January 20 and 23rd, 2000 (Appendix A).

Four DFRM staff were on station from incubation to release. In addition to gaining experience in fish culture, these employees also participated in construction, maintenance and set up of a "temporary" incubation and rearing station. The results were significant in that this program achieved a 95.6% survival rate from eyed eggs coming on station to parr release in July.

From the week of August 17 through September 26, DFRM staff spawned Lookingglass FH returnees held at Walla Walla FH. Staff traveled down to Walla Walla weekly for the spawning. A total of 94 females were spawned, the eggs were transported to Sweetwater Springs, where they were fertilized and incubated. A total of approximately 307,000 BY98 spring chinook will be reared at Sweetwater Springs and released as parr into NPTH streams in 1999.

#### Fall Chinook Acclimation Facilities

Although the fall chinook program operates under its own contract, its employee training ties with the NPTH program should be mentioned. DFRM staff who would normally be employed under the NPTH contract were temporarily hired by the fall chinook program to tend these fish. Two of the fall chinook stations (Pittsburg Landing and Big Canyon) are portable facilities requiring set up and take down each year. Thus, the staff receives experience with operation of temporary facilities and working out the many bugs that can occur with portable equipment, in addition to feeding and caring for the fish. Two of the NPTH satellite facilities will likewise be portable and operate seasonally.



Figure 5. Pittsburg Landing Acclimation Tanks

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**3.2.2** Define skill/training levels for hatchery production staff through a written training program.

**Response:**

While a written training program would be useful and could serve to help with certification of staff undergoing training, staff who are currently employed, are rapidly learning and acquiring skills of rearing and caring for fish while on-the-job.

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**3.2.3** Initiate a training certification process through the USFWS programs; e.g., Coldwater Fish Culture, Pacific Salmon Culture, Introduction to Fish Health, Water Quality Monitoring.

**Response:**

The Production Director arranged for a Cold Water Fish Culture and a Fish Health course to be taught in the Lewiston area by the USFWS National Conservation Training Center. The courses were taught locally in order to reduce travel and per diem costs normally encountered in traveling to nationally taught courses. Considerable time was spent coordinating presentation of the classes including: establishing a contract, setting up rooms, securing class materials, and arranging for alternative schedules to cover employee participation. The courses were offered during the weeks October 26 - 30 and November 2 - 6. Twenty nine (29) tribal employees attended the classes and received course certification at the end. Cost was \$26,000.

Other training issues included the Production Director attending a session to develop educational grants through Washington State University and to explore educational support for tribal employees through the Northwest Indian College. In addition, two DFRM fish culture supervisors attended coaching training in Spokane, WA and the Administrative Assistant and Secretary attended a short course for administrative support staff.

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**Task 3.3** Promote broodstock acquisition activities to provide broodstock availability at project start-up for each salmon species: i.e.,

**3.3.1** Work within US v Oregon PAC to coordinate broodstock acquisition.

**Response:**

As described in the response to Task 1.1, adult spring chinook returnees to Lookingglass FH were secured for NPTH through requests made in U.S. v Oregon PAC. The BY98 fish will be reared at Sweetwater Springs and released as parr in 1999.

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**3.3.2** When broodstock sources are available prior to NPTH construction, Sweetwater Springs Hatchery will be operated on a temporary basis to incubate eggs and produce parr for outplant to streams identified in the Supplement to the Master Plan. Broodstock sources are limited which necessitates taking advantage of any opportunity to acquire them.

**Response:**

Operations of Sweetwater Springs are described in the response to Task 3.2.1

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**Task 3.4** Obtain and operate equipment necessary to support fisheries production operations to procure future broodstock opportunities.

**Response:**

An ambitious program was begun in 1997 to acquire “non-permanent” fish culture equipment needed to operate the NPTH program during this interim period and for the long term. An updated equipment list is provided as Appendix B.

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**OBJECTIVE 4. RISK MANAGEMENT:** Includes areas which involve protection of habitat, protection of cultural resources, and completion/implementation of the monitoring & evaluation plan.

**Task 4.1** Monitor, review, and comment on USFS and other agency activities in streams and, watersheds where NPTH supplementation has been planned and take appropriate actions to protect watersheds crucial to this project.

**Response:**

Monitoring and evaluation and habitat related staff continue to monitor land and stream activities that occur within the Clearwater and Nez Perce National Forests (USFS). In addition, COE permits allowing stream alterations are monitored. Support staff, Win Perez and Mark Oatman are operating recording thermographs and taking stream readings at various sites involving the project. Final design documents are being prepared for review by USFS personnel with the intent of obtaining their support

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**Task 4.2** Coordinate cultural resource protection prior to and during construction of hatchery and satellite facilities with NPT Cultural Resources Department and BPA.

**Response:**

A contract was developed with NPT Cultural Resources to provide cultural resource monitoring of the final design process (Appendix A). Jason Lyon, NPT Cultural Resources, has provided a statement of work and budget for these services. Several meeting have been held with the USFS to ensure that appropriate action and protection is in place at satellite sites. This action provides a coordination process between BPA, NPT, and the Forests. Additional negotiations will occur as the project is developed.

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**Task 4.3** Coordinate with and provide information to the monitoring and evaluation program for NPTH on production, timing, transportation, rearing and release of species evaluated.

**Response:**

The Monitoring and Evaluation (M&E) annual report will detail activities for that program, but a brief summary of coordination is provided here. All marking and tagging is conducted by the M&E program and as such, fish size, and antibiotic feeding must be closely coordinated and timed around release dates. Handling required in marking and measuring, in addition to the marking itself, stresses fish. Because there are groups of fish spread throughout many rearing locations, and most lots are released at similar sizes and dates, the M&E and Production staffs communicate almost daily during the spring and early summer.

The M&E program ultimately reports on the success (or lack thereof) to the production staff. They determine the survival, growth and return rate of outplanted fish. In addition, they collect information on the biological characteristics of naturally produced conspecifics (e.g. emigration



rates and sizes, spawn timing and locations) such that the Production Division will know what the target is.

The M&E staff has also taken a very active role in the outplant activities themselves. They collect instream samples (density and species composition) prior to releasing fish, and provide extra manpower for helicopter or truck transport operations as needed.

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**OBJECTIVE 5. REPORTS:** Consists of progress reports and technical reports, most of which are in progress.

**Task 5.2** Complete quarterly progress reports by April 15, July 15, and October 15, 1998, and combined 4th quarter/annual report by January 31, 1999. Utilize Statement of Work as reporting template.

**Response:**

The first and second quarterly reports were completed in April and July of 1998. The BPA Contracting Officer Technical Representative has determined that completion of this annual report will substitute for the third and fourth quarterly reports.

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**Task 5.3** Sprenke and Ralston Water Evaluation Reports for Sweetwater Springs Hydrologic Evaluation and North Lapwai Valley Site Groundwater Evaluation. Anticipated date May, 1998.

**Response:**

The Sprenke and Ralston report was submitted in October 1998.

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**Respectfully Submitted by:**

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Roy Edward Larson  
Director Production Services Division

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David B. Johnson  
Production Coordinator

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Grant Walker  
NPTH Hatchery Manager

**Approved by Nez Perce Tribe:**

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Samuel N. Penney, Chairman  
Nez Perce Tribal Executive Committee

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James Holt, Chairman  
Natural Resources Subcommittee

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Silas Whitman, Program Manager  
Department of Fisheries Resources Management  
Nez Perce Tribe

file: C:\NPTH98\REPORTS\NPTH Annual Rpt 1998 (photos).wpd

## Appendix A

The reports, letters and memos below are all on file with Production Division, NPT DFRM, and can be obtained by request.

1. NPT responses to ISRP comments made on the FY99 proposal.
2. November 13, 1998 letter from John Etchart, NPPC to D. Robert Lohn, BPA.
3. Minutes for November 12, 1998 fall coordination meeting.
4. Cooperative Agreement between United States Fish and Wildlife Service and Nez Perce Tribe for Production Services.
5. Contract for completion of a Benefit:Risk assessment between the NPT and CRITFC.
6. Biological Assessment for 1998 Coho Salmon Releases Proposed by the Nez Perce Tribe. Submitted to NMFS by BIA, January 28, 1998.
7. Biological Assessment 1998 Spring Chinook Salmon Release into Selway River, Idaho. Submitted to NMFS by BPA, May 29, 1998.
8. Proposal for Outplanting Oxbow Steelhead into Natural Production Areas. Nez Perce Tribe Department of Fisheries Resources Management. November 25, 1998.
9. January 28, 1998 letter from John Etchart, NPPC to Mr. Samuel Penney, NPTEC and Mr. D. Robert Lohn, BPA.
10. September 9, 1998 letter from Samuel N. Penney, NPTEC to Idaho Fish & Game Commission.
11. Hydrogeologic Analysis of Water Supply Potential for the Proposed North Lapwai Valley Hatchery Facility
12. July 30, 1998 letter from Samuel N. Penney, NPTEC to Chief Michael P. Dombeck, USFS.
13. December, 18, 1998 letter from Si Whitman, NPT DFRM to Phil Jahn, USFS.
14. Video of Idaho Public Television Outdoor Idaho titled "Tribes and the Environment" which aired January 20 and 23rd, 2000.
15. A contract was developed with NPT Cultural Resources to provide cultural resource monitoring of the final design process.